

December 28, 2012

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The Honorable Julius Genachowski
Chairman
Federal Communication Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

I request that when the Commission considers the joint testing reports filed by Progeny and the Wireless Internet Service Providers Association (WISPA), Itron, and the Landis+Gyr Company in WT Docket 11-49 to determine whether Progeny's Multilateration Location and Monitoring Service (M-LMS) service causes unacceptable interference to unlicensed (Part 15) devices operating in the 902-928 Megahertz (MHz) spectrum band, it defines unacceptable interference from the perspective of what would be an unacceptable consumer experience for the tens of millions of Part 15 device users. I am concerned that conditions to begin commercial operation have not been met by the applicant in the field tests with Part 15 users.


According to the Commission, the grant of the M-LMS license is conditioned on the licensee's ability to demonstrate, through actual field tests in the proposed area of operation, that their systems do not cause unacceptable levels of interference to Part 15 devices that utilize the 902-928 MHz spectrum band. The FCC has shown its intent to respect the installed base of millions of Part 15 devices; however it has not clearly defined unacceptable interference.

Millions of Americans depend on devices supported by unlicensed spectrum in the 902-928 MHz band. These devices include signaling systems used by railroads, pipelines, and smart grid automatic meter reading devices, as well as Internet connections, medical devices, remote controls, baby monitors, personal emergency service devices that connect to 911, and home alarm systems. The quality of communications and signals over these devices is crucial to businesses as well as to consumers.

Innovation is an important part of our country's competitive agenda and the 902-928 MHz spectrum block is used by many new technologies utilizing unlicensed spectrum due to the relatively low barriers to entry. We must continue to support innovation to build our economy and compete in an increasingly high-tech global market and urge you to continue to keep this in mind as you consider your decision which could impact the untold number of successful companies that have integrated unlicensed devices into their operations if they are subject to unacceptable levels of interference.

I hope you will continue to work with all of the stakeholders involved so that the band can continued to be shared effectively.

Sincerely,

A handwritten signature in blue ink that reads "Amy Klobuchar". The signature is fluid and cursive, with the first name "Amy" and last name "Klobuchar" clearly legible.

Amy Klobuchar
United States Senator

CC: Commissioner Robert McDonnell
Commissioner Mignon Clyburn
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION

April 23, 2013

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter regarding Progeny LMS, LLC. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the FCC's Office of Engineering and Technology.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, is positioned above the printed name Julius Genachowski.

Julius Genachowski



Federal Communications Commission
Washington, D.C. 20554

April 23, 2013

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter dated December 28, 2012 regarding the testing reports filed by Progeny, the Wireless Internet Service Providers Association (WISPA), Itron and the Landis+Gyr Company concerning whether Progeny's Multilateration Location and Monitoring Service (M-LMS) equipment causes unacceptable interference to Part 15 devices operating in the 902-928 MHz band. You request that the Commission define "unacceptable interference" from the perspective of what would be an unacceptable consumer experience for tens of millions of Part 15 users. You believe that Progeny has not yet met the Commission's conditions to begin commercial operations.

As you have recognized, Progeny is a licensee in the M-LMS band that is also available for use by unlicensed devices under Part 15 of the Commission's rules. As a general matter, users of Part 15 devices are required to accept interference caused by licensed operations. However, the M-LMS rules require licensees to demonstrate through actual field tests that their operation will not cause unacceptable interference to Part 15 devices. Progeny performed field testing as required by the rules and submitted the results to the Commission. The Commission has sought comment on those testing results.

The staff is currently reviewing the test results and extensive record that has been compiled to date. We will place your letter in the record in WT Docket No. 11-49 so that it will be considered as part of the deliberative process.

I appreciate your interest in this very important matter.

Sincerely,

A handwritten signature in dark ink, reading "Julius P. Knapp". The signature is fluid and cursive, with the first name "Julius" being the most prominent part.

Julius P. Knapp
Chief
Office of Engineering and Technology